

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

JAN 13 2020

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

Vs.

Daniel Pizano

CRIMINAL COMPLAINT

Case Number: C-20-119M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about January 11, 2020 in Kenedy County, in the Southern District of Texas, defendant, **Daniel Pizano**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent **Carlos Rodriguez**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

January 13, 2020

Date

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Jason B. Libby
Signature of Judicial Officer


Signature of Complainant

Carlos Rodriguez

Printed Name of Complainant

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On January 11, 2020, Daniel Pizano was arrested for attempting to smuggle seven undocumented aliens through the Javier Vega Jr. Border Patrol Checkpoint.

ENCOUNTER:

On January 11, 2020 at approximately 6:45 p.m., a Recreational Vehicle (RV) approached the Javier Vega Jr. Border Patrol Checkpoint for an immigration inspection. The primary agent asked the driver, later identified as Daniel Pizano, if he was a United States Citizen, to which he responded that he was.

As the primary agent was conducting his immigration inspection, a Border Patrol canine handler advised that his service dog was alerting to the vehicle. The primary agent then instructed Pizano to park the RV into the secondary inspection area.

In the secondary area, Border Patrol agents searched the RV and located an aftermarket compartment under the bed of the RV. After opening the compartment, agents discovered a total of seven subjects including a seven year old child. It was determined that the seven subjects were undocumented aliens from Mexico and Peru (three from Mexico and four from Peru).

All seven subjects were placed under arrest for being in the United States illegally and Pizano was placed under arrest for alien smuggling.

MIRANDA WARNINGS:

All adult subjects were advised of their Miranda Rights in their preferred language. All of them acknowledged that they understood their rights. Pizano and the three Mexican nationals agreed to provide statements.

DANIEL PIZANO'S STATEMENT:

Pizano claimed to have no knowledge of the seven illegal aliens concealed inside the RV. Pizano stated he made contact with a friend about borrowing a pickup truck. Pizano claimed his friend did not allow him to borrow the truck, but instead had a friend who could sell him an RV for \$1,000. Pizano claimed he went to a residence in San Benito, Texas where cowboy looking men showed him the RV. Pizano claimed the whole situation seemed weird, but that he did not think he would be attempting to smuggle anything through the checkpoint.

Pizano then went to an insurance company to buy insurance for the RV. After buying insurance for the vehicle, Pizano went to his home in Harlingen, where he, his wife, and his step children cleaned out the RV. Pizano then drove the RV to a truck stop in Combes, Texas where he purchased fuel. Pizano then drove without stopping to the immigration checkpoint where he was arrested.

MARCO ANTONIO JIMENEZ-SILVERIO'S STATEMENT (MEXICAN NATIONAL):

Jimenez stated he entered the United States illegally on or about December 26, 2019. After entering the United States, Jimenez stayed at a house in an unknown city in for approximately 16 days. Jimenez stayed at this house with his cousin Isaac Silverio-Quevedo.

On January 12, 2020 at approximately 4:00 p.m., an unknown man showed up at the house and told Jimenez and his cousin that it was time to go. The unknown man took them to a house where the RV was parked. The unknown man told both of them to go inside the RV.

Once inside the RV, Jimenez saw the driver (Daniel Pizano) sitting on a chair. Pizano then instructed Jimenez to get inside the compartment that was built under the bed of the RV. Pizano lifted the bed and told Jimenez to hide and to not move or make any noises. Jimenez claims he was the first person to go inside the compartment. Jimenez identified Pizano on a photo lineup.

ISAAC SILVERIO-QUEVEDO'S STATEMENT (MEXICAN NATIONAL):

Silverio claimed he entered the United States on or about December 26, 2019. After entering the United States illegally, he was transported to a house where he stayed for approximately 16 days. Silverio stayed at this house with his cousin Marco Antonio Jimenez-Silverio.

On January 12, 2020 at approximately 4:00 p.m., an unknown man showed up at the house and told Jimenez and his cousin that it was time to go. The unknown man took them to a house where the RV was parked at. The unknown man told both of them to go inside the RV.


Once inside the RV, Silverio observed Daniel Pizano sitting on a chair. Pizano told Silverio to get inside the compartment that was built under the bed of the trailer. Silverio claims he was the second person to go inside the compartment. He also claimed the seven year old boy was the last one to get inside the compartment. Silverio was able to identify Daniel Pizano on a photo lineup.

JOSE ALEXANDER PEREZ-VELAZQUEZ' STATEMENT (MEXICAN NATIONAL):

Perez states he was instructed to get inside the RV. Once in the RV, he was told to get under the bed by an unknown man. Perez was concealed in this compartment with six other individuals. Perez was shown a photo lineup and identified Pizano as the person who was at the location when he was instructed to get inside the RV. Perez claimed Pizano was standing outside the RV when he was instructed to get inside.

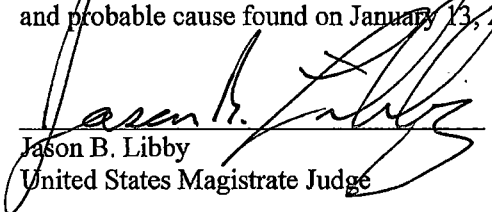
DISPOSITION:

The facts of this case were presented to Assistant United States Attorney Sara Popejoy who accepted Daniel Pizano for prosecution of 8 USC 1324, Alien Smuggling. Marco Antonio Jimenez-Silverio and Isaac Silverio-Quevedo will be held as material witnesses. Jose Alexander Perez-Velazquez will be charged with 8 USC 1326, Illegal Re-Entry.



Carlos Rodriguez
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on January 13, 2020



Jason B. Libby
United States Magistrate Judge